

APR 18 2007

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U. S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA)	DOCKET No. 3:07-cr-79-W
v.)	
(2) SHARU BEY,)	<u>THIRD SUPERSEDING</u>
a/k/a "Jeffrey Lewis", a/k/a "Tre")	<u>BILL OF INDICTMENT</u>
(5) EDGAR ORTIZ BARRAZA,)	Violations:
a/k/a "Edgar Yunven Barraza")	21 U.S.C. § 846
(6) RUBEN ORTIZ BARRAZA)	21 U.S.C. § 841(a)(1)
a/k/a "Ruben Barraza-Ortiz")	18 U.S.C. § 2
(7) RUBEN NOYOLA GARCIA)	18 U.S.C. § 922(g)
(8) JUAN C. GARZA)	18 U.S.C. § 924(c)

THE GRAND JURY CHARGES:

COUNT ONE

From in or about 2000 to on or about March 22, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

(2) SHARU BEY, a/k/a "Jeffrey Lewis", a/k/a "Tre"
(5) EDGAR ORTIZ BARRAZA, a/k/a "Edgar Yunven Barraza"
(6) RUBEN ORTIZ BARRAZA, a/k/a "Ruben Barraza-Ortiz"
(7) RUBEN NOYOLA GARCIA
(8) JUAN C. GARZA

did knowingly and intentionally combine, conspire, confederate, and agree Patrick Schwenke, Robert Carlos Alba-Arellano, Juan Carlos Sanchez-Solorzano, Ulises Partido-Soto, and with each other, and others known and unknown to the grand jury, to possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, a violation of Title 21, United States Code, Section 841(a)(1).

Said offense involved at least one thousand (1,000) kilograms of a mixture and substance containing a detectable amount of marijuana.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A).

COUNT TWO

On or about March 22, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

(2) SHARU BEY, a/k/a "Jeffrey Lewis", a/k/a "Tre"
(5) EDGAR ORTIZ BARRAZA, a/k/a "Edgar Yunven Barraza"
(6) RUBEN ORTIZ BARRAZA, a/k/a "Ruben Barraza-Ortiz"
(7) RUBEN NOYOLA GARCIA
(8) JUAN C. GARZA

did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, a violation of Title 21, United States Code, Section 841(a)(1), and did aid and abet each other and other persons known and unknown to the Grand Jury.

Said offense involved at least one hundred (100) kilograms of a mixture and substance containing a detectable amount of marijuana.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT THREE

On or about March 22, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

(2) SHARU BEY, a/k/a "Jeffrey Lewis", a/k/a "Tre"

during and in relation to a drug trafficking crime, that is, conspiracy to possess with intent to distribute marijuana and possession with intent to distribute marijuana, a violation of Title 21, United States Code, Sections 846 and 841(a)(1), as charged in Counts One and Two, respectively, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry a firearm, that is, a .45 caliber semi-automatic Glock handgun, and in furtherance of such drug trafficking crime, did possess said firearm.

All in violation of Title 18, United States Code, Sections 924(c).

COUNT FOUR

On or about March 22, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

(2) SHARU BEY, a/k/a "Jeffrey Lewis", a/k/a "Tre"

having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Possession of Cocaine in 1992 in a court in Gaston County, North Carolina; and Possession with Intent to Distribute Cocaine in 1996 in a court in Gaston County, North Carolina; did knowingly and unlawfully possess a firearm in and affecting interstate commerce, that is a .45 caliber semi-automatic Glock handgun, in violation of Title 18, United States Code Section, 922(g)(1).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of the provisions of 21 U.S.C. §853. The defendant has or had a possessory or legal interest in the following property that is subject to forfeiture in accordance with §853:

- (a) all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the violations alleged in this bill of indictment;
- (b) all property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations; and,
- (c) in the event that any property described in (a) or (b) cannot be located or recovered or has been substantially diminished in value or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant, to the extent of the value of the property described in (a) and (b).

The grand jury finds probable cause to believe that the \$1,249,980 seized on January 16, 2007, in Jackson County, Mississippi, is subject to forfeiture on one or more of the grounds stated above.

The grand jury finds probable cause to believe that the following property of SHARU BEY, a/k/a "Jeffrey Lewis", a/k/a "Tre" is subject to forfeiture on one or more of the grounds stated above: a .45 caliber semi-automatic Glock handgun.

A TRUE BILL:

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY



STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY